

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: DAIMLERCHRYSLER AG : Civil Action No. 00-993/00-984-JJF
SECURITIES LITIGATION. :
:
: **CONSOLIDATED ACTION**
TRACINDA CORPORATION, :
a Nevada Corporation, :
:
:
Plaintiff, :
v. :
:
DAIMLERCHRYSLER AG, a Federal :
Republic of Germany :
corporation; DAIMLER-BENZ AG, :
a Federal Republic of Germany :
corporation; JURGEN SCHREMPP, :
a citizen of the Federal :
Republic of Germany; :
MANFRED GENTZ, a citizen of :
the Federal Republic of :
Germany; :
:
Defendants. :

TRIAL MANAGEMENT ORDER

Trial is scheduled to commence on **Monday, December 1, 2003 at 9:00 a.m.** The Court has reviewed the Proposed Pre-trial Order, specifically the witness and exhibit list submitted by each side. Based on this review, the Court has preliminarily determined that the following schedule and procedures will allow for an efficient and fair presentation of each party's case.

1. **Time**

(a) Plaintiff is allocated thirty (30) hours in court trial time for opening statement, direct and cross examinations and argument on evidence issues.

(b) Defendant is allocated thirty (30) hours in court trial time for opening statement, direct and cross examinations and argument on evidence issues.

(c) Closing Arguments will be submitted as part of post trial briefing.

(d) The trial schedule is as follows:

Monday, December 1, 2003	- 9:00 a.m. to 4:30 p.m.
Tuesday, December 2, 2003	- 9:00 a.m. to 4:30 p.m.
Wednesday, December 3, 2003	- 9:00 a.m. to 3:30 p.m.
Thursday, December 4, 2003	- 12:00 p.m. to 5:00 p.m.
Monday, December 8, 2003	- 8:30 a.m. to 11:30 a.m.
	BREAK
	- 3:30 p.m. to 6:30 p.m.
Tuesday, December 9, 2003	- 1:30 p.m. to 6:30 p.m.
Wednesday, December 10, 2003	- 9:00 a.m. to 4:30 p.m.
Thursday, December 11, 2003	- 9:00 a.m. to 4:30 p.m.
Friday, December 12, 2003	- 9:00 a.m. to 4:30 p.m.
Tuesday, December 16, 2003	- 9:00 a.m. to 4:30 p.m.
Wednesday, December 17, 2003	- To Be Determined (5 hours)

2. **Witnesses**

In accordance with Fed. R. Civ. P. 611 (a) the examination of witnesses will be conducted as follows:

(a) Counsel shall not offer testimony or exhibits that are duplicative or cumulative.

(b) Each witness is subject to direct, cross and re-direct examination. No further examination is permitted.

(c) Rebuttal witnesses will be permitted only if:

(i) called by a party with the burden of proof and noticed in the Pre-trial Order.

(ii) such a witness is necessary to avoid an

injustice and cause is established.

(d) One lawyer per party is permitted to examine a witness.

3. **Courtroom Demeanor**

(a) Counsel may use the podium at his or her discretion.

(b) Counsel should avoid requesting "read backs" by the Court Reporter; however, if a read back is believed necessary, counsel shall address the request to the Court.

(c) Counsel shall stand when addressing the Court.

(d) Food and beverages, other than the water provided by the Court, are not permitted in the Courtroom at any time.

November 25, 2003
DATE

Joseph J. Farnan, Jr.
UNITED STATES DISTRICT JUDGE